

AMENDMENTS TO LB 507

(Amendments to E & R amendments, ER8218)

Introduced by Howard, 9.

1           1. Insert the following new section:

2           Sec. 2. Section 28-707, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           28-707 (1) A person commits child abuse if he or she  
5 knowingly, intentionally, or negligently causes or permits a minor  
6 child to be:

7           (a) Placed in a situation that endangers his or her life  
8 or physical or mental health;

9           (b) Cruelly confined or cruelly punished;

10          (c) Deprived of necessary food, clothing, shelter, or  
11 care;

12          (d) Placed in a situation to be sexually exploited by  
13 allowing, encouraging, or forcing such minor child to solicit for  
14 or engage in prostitution, debauchery, public indecency, or obscene  
15 or pornographic photography, films, or depictions; or

16          (e) Placed in a situation to be sexually abused as  
17 defined in section 28-319, 28-319.01, or 28-320.01.

18          (2) The statutory privilege between patient and  
19 physician, between client and professional counselor, and between  
20 husband and wife shall not be available for excluding or refusing  
21 testimony in any prosecution for a violation of this section.

22          (3) Child abuse is a Class I misdemeanor if the offense

1 is committed negligently.

2 (4) Child abuse is a Class IIIA felony if the offense  
3 is committed knowingly and intentionally and does not result in  
4 serious bodily injury as defined in section 28-109.

5 (5) Child abuse is a Class ~~III~~ II felony if the offense  
6 is committed knowingly and intentionally and results in serious  
7 bodily injury as defined in such section.

8 (6) Child abuse is a Class IB felony if the offense is  
9 committed knowingly and intentionally and results in the death of  
10 such child.

11 2. Renumber the remaining section accordingly and correct  
12 the repealer section.